REMARKS

The applicants' representative wishes to thank Examiner Jagannathan and Examiner Patel for their time during the June 12, 2003, interview during which the attendees discussed proposed amendments to claims 2 and 6 and some differences between the cited reference and the claims, along with other matters. Further details regarding the substance of the interview may be found below. If the Examiner needs any additional information, please contact the undersigned attorney.

As agreed during the interview, applicants file the present amendment and respectfully request reconsideration and withdrawal of the rejections set forth in the Office Action dated February 25, 2003.

I.   Amendments

By this amendment, applicants have cancelled independent claims 6, 19 and 26 without prejudice to reduce the complexity of the application. Applicants have amended all the remaining claims to improve readability (e.g., by replacing "said" with "the") and have amended claims 13, 14, 20, and 30 to stress that these claims should not be interpreted under 35 U.S.C. § 112, paragraph 6 (e.g., by deleting "the steps of" and similar language). Applicants have also amended dependent claims 7, 8, 14, 20, 27 and 28 to depend from appropriate base claims and have converted independent claims 16-18, 21 and 31 into dependent claims to further reduce the complexity of the application.

Applicants have amended independent claims 2, 13, 15, 22 and 29 to recite both "identifying a subscriber service associated with the destination" and "determining a route for the transmission of the information" based, in part, on "equipment at the destination." Support for these elements is found in the claims, as originally filed, and the specification. For example, claim 15 as originally filed recites "identifying the subscriber service of said destination" and claim 2 as originally filed recites "wherein a characteristic of the destination includes information relating to the equipment at said destination." According to page 6, lines 16-19 of applicants' Specification, "equipment" at the destination can include items such as "facsimile devices, personal computers,

modems, etc." In further example, Figure 5 illustrates a process in which the route path is determined when the destination subscribes to a wired network, while Figure 6 illustrates a process in which the route path is determined when the destination subscribes to a wireless network, demonstrating that the subscriber service is first identified before the route determination is completed.

Applicants have also amended claims 2, 13, 15, 22 and 29 to recite that the source does not packetize the information sent over the route, but instead, that network elements perform any needed packetizing, as disclosed in applicants' Specification at, for example, page 16, lines 9-16 ("base station 70 packetizes the information [received in non-packetized from source] and forwards it to Gateway 130").

II. Rejections under 35 U.S.C. § 102 and 35 U.S.C. § 103

The Examiner rejected claims 2, 6-8, 13-18, 20, 22, 26-28 and 29-31 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,075,783 issued to Voit ("Voit"). The Examiner rejected claims 3-5, 19, 21 and 23 under 35 U.S.C. § 103(a) as being unpatentable over Voit. Applicants respectfully traverse these rejections.

A.   The Applied Art

Voit describes an Internet telecommunication system capable of providing mobility for roaming voice communications. Voit's system includes an enhanced Domain Name Server system ("DNS") coupled to a public packet data network. (Voit at 6:16-19.) Voit describes that the DNS can be used, in combination with a PSTN Gateway Server, for controlling routing of calls made by a computer through the public packet data network (e.g., voice over IP). The DNS does this by receiving a domain name query from the calling computer, determining the IP address for the destination indicated by the domain name query, and sending the destination IP addresses back to the calling computer. (Voit at 6:16-40.)

In some cases, Voit's domain name server performs a "conditional analysis" during the process of determining the routing of calls. In Voit's conditional analysis, if the destination computer is turned off at the time the call is routed, the call can be

forwarded to another device, such as telephone. Based on Voit's conditional analysis, the call can be completed via, for example, a gateway server over a PSTN (for PC to wireline phone) or via a gateway server through a mobile switching office (for PC to wireless phone). (Voit at 12:44-13:36.) Voit's call process includes having the calling (or source) computer packetize the information before sending it over the network. (Voit at 13:7-10.)

B.   Applicants' Technique

One embodiment of Applicant's technique is directed to allowing information to be transmitted from a source (e.g., mobile phone), through a hybrid network, to a receiving device at a destination. Applicants' technique facilitates communication regardless of the communication service (e.g., fixed wire communication network vs. wireless communication network) to which the destination device subscribes. With applicants' technique, the information is not packetized when leaving the source. Rather, in some embodiments, voice information leaving the source 30 is digitized and compressed at a remote unit 80 and then packetized within an internal network node, such as a base station 70. (See Applicant's Specification at page 16. lines 9-16.) In this way, valuable wireless bandwidth is conserved when its use is not necessary, and the source device does not need to be modified to function over the hybrid network. Moreover, applicants' technique facilitates communication for a wide range of receiving devices. For example, the equipment at the destination may be one of a number of wired devices, such as a conventional wired telephone, a facsimile device, a personal computer, a modem, etc., or it may be a wireless device, such as a mobile phone, PDA, laptop, etc. (See Applicants' Specification at page 6, lines 16-19 and page 7, lines 15 and 16.)

Applicants' technique includes determining or selecting one of multiple routing options through a hybrid communication network so that information can be transmitted from a source to a destination. While a large number of routing options exist within a hybrid network, applicants describe three general types of routes, as shown in Figure 1 of applicants' Specification.

For example, when the destination device subscribes to a wireline network, a relatively direct and typically **inexpensive** route can be taken from base station, through switching unit 60, through PSTN 23 and through LEC 50 to reach the destination device. (Specification at Figure 1.) The relatively direct route may be selected depending on the type of equipment at the destination. For example, the relatively direct route may be possible when the destination device is capable of handling digital information, such as a modem. However, if the device subscribing to the wireline service is not capable of handling digital information, a less direct route may be taken from base station 70 to an access node 20, to a data network 10c, to a second access node 100, to a gateway 130, to a switching unit 140, then on to an LEC 50. (Specification at Figure 1.) In this way, the information traveling through the route can be formatted as necessary to effectively reach the wired destination in usable form.

Alternatively, when the device at the destination subscribes to a wireless communication network, a route via the wireless portion of the hybrid network may be used, as shown in one of the route options illustrated in Figure 1.

C.   Analysis

Applicants' claims recite that the selection of the route depends on (1) the query signal from the source, (2) the type of service the destination subscribes to (e.g., wireless, and wireline) and (3) the type of equipment (e.g., capabilities of device) at the destination. Voit does not disclose these elements. To the contrary, Voit describes that, when a called computer is turned off, the domain name server determines whether a called party has an alternative communication device to which the call can be rerouted. If an alternative device exists, Voit determines the route for the alternative call based on the type of service to which the alternative device subscribes (e.g., wireline or wireless). Thus, with Voit, once the service associated with the alternative device is determined (e.g., wireline or wireless), there is no further inquiry as to the equipment comprising the alternative device. Accordingly, Voit, neither alone nor in combination with the other cited references, anticipates applicants' claims.

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Applicants' claims also specify that the source does not packetize the information that is sent over the determined route. Instead, the information is packetized by the route processor, or a similar network core node, after leaving the source. In this way, information is packetized only when needed, and the source device can function within the hybrid network without being modified to include packetization capabilities. Contrary to applicants' technique, Voit describes that the source (i.e., the computer) packetizes the information before it is routed through the internal nodes of the network. (Voit at 13:7-10.)
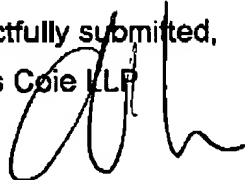
III.   Rejections under 35 U.S.C. § 103

The Examiner rejected various dependent claims under 35 U.S.C. § 103. However, because the claims from which these claims depend are allowable as discussed above with respect to the section 102(e) rejections, the claims that depend from these claims are also allowable.

VI.   Conclusion

In view of the foregoing, the claims pending in the application comply with the requirements of 35 U.S.C. § 112 and patentably define over the applied art. A Notice of Allowance is, therefore, respectfully requested. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 264-6384.

Respectfully submitted,
Perkins Coie LLP

Date: 6/23/03

Christopher J. Daley-Watson
Registration No. 34,807

Correspondence Address:
Customer No. 30083
Perkins Cole LLP/AWS
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 583-8888